

**SEARCH AND SEIZURE — Identified citizen informants —**  
**Revised 11/2009**

For the purposes of determining the sufficiency of a search warrant affidavit, citizen informants are presumed to be reliable, particularly when they have personally observed the criminal conduct they describe. *State v. Coats*, 165 Ariz. 154, 159, 797 P.2d 693, 698 (App. 1990). Citizen informants can also provide justifiable suspicion that a particular individual to be detained is involved in criminal activity for the purposes of an officer performing an investigatory stop. *State v. Lawson*, 144 Ariz. 547, 552, 698 P.2d 1266, 1271 (1985). In *Lawson*, a truck driver stopped on the road when he saw a police vehicle and told the police that people in a particular car had attempted to sell him drugs and sexual services. The defendant claimed on appeal that there was insufficient evidence to justify an investigatory stop of the car. The Arizona Supreme Court found that there was sufficient evidence to justify the stop and noted that the citizen's report was presumed to be reliable:

As we have stated in the past "[w]here an ordinary citizen volunteers information which he has come upon in the ordinary course of his affairs, completely free from any possible gain from furnishing the information, reliability is enhanced." *State ex rel. Flourney v. Wren*, 108 Ariz. 356, 364, 498 P.2d 444, 452 (1972); see also *State v. Diffenderfer*, 120 Ariz. 404, 586 P.2d 653 (1978) (information supplied by a citizen who voluntarily comes forward to aid law enforcement officers is presumed to be reliable).

*Id.*